

11/30/05

EXPRESS MAIL NO. EV335611108US

15/15

TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

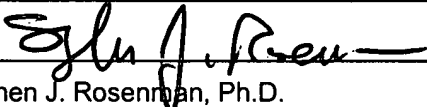
Application Number	10/763,398
Filing Date	January 23, 2004
First Named Inventor	Christen M. Anderson
Art Unit	1654
Examiner Name	Billy D. Chism
Attorney Docket No.	660088.443C1

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement and Transmittal <input type="checkbox"/> Cited References <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input checked="" type="checkbox"/> Declaration (3) <input type="checkbox"/> Statement under 37 CFR 3.73(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (<i>Appeal Notice, Brief, Reply Brief</i>) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Other Enclosure(s) (<i>please identify below</i>): <u>Statement of Robert E. Davis;</u> <u>Consent of Assignee to Correct Inventorship; Copy of</u> <u>Assignment of Robert E. Davis to</u> <u>MIGENIX Corp.; Second</u> <u>Supplemental Application Data</u> <u>Sheet; Request to Correct</u> <u>Inventorship</u>
---	--	---

Remarks


SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Seed Intellectual Property Law Group PLLC	Customer Number	00500
Signature			
Printed Name	Stephen J. Rosenman, Ph.D.		
Date	November 29, 2005	Reg. No.	43,058

VIA EXPRESS MAIL

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature		
Typed or printed name		Date:

 <p>PROCESSING FEE Under 37 CFR 1.17(i) TRANSMITTAL (Fees are subject to annual revision)</p> <p>Send completed form to: Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450</p>	Application Number	10/763,398
	Filing Date	January 23, 2004
	First Named Inventor	Christen M. Anderson
	Art Unit	1654
	Examiner Name	Billy D. Chism
	Attorney Docket Number	660088.443C1

Enclosed is a paper filed under 37 CFR 1.48(a) that requires a processing fee (37 CFR 1.17(i)). Payment of \$130 is enclosed.

This form should be included with the above-mentioned paper and faxed or mailed to the Office using the appropriate Mail Stop, if applicable. For transmittal of petition fees under 37 CFR 1.17(f), (g), or (h), see form PTO/SB/17p.


Payment of Fees (small entity amounts are NOT available for the processing fees)

- ☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 19-1090:
☐ processing fee under 37 CFR 1.17(i) ☒ any deficiency of fees and credit of any overpayments.
 Enclose a duplicate copy of this form for fee processing.
- ☒ Check in the amount of \$130 is enclosed.
- ☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Processing Fees under 37 CFR 1.17(i): Fee \$130 Fee Code 1808 for all,
 Except for § 1.221 papers (Fee Code 1803)**

For papers filed under:

- § 1.28(c)(3) – for processing a non-itemized fee deficiency based on an error in small entity status.
- § 1.41 – for supplying the name or names of the inventor or inventors after the filing date without an oath or declaration as prescribed by § 1.63, except in provisional applications.
- § 1.48 – for correcting inventorship, except in provisional applications.
- § 1.52(d) – for processing a nonprovisional application filed with a specification in a language other than English.
- § 1.53(b)(3) – to convert a provisional application filed under § 1.53(c) into a nonprovisional application under § 1.53(b).
- § 1.55 – for entry of late priority papers.
- § 1.71(g)(2) – to enter an amendment to the specification for purposes of 35 U.S.C. 103(c)(2) if not filed within the cited time periods.
- § 1.99(e) – for processing a belated submission under § 1.99.
- § 1.103(b) – for requesting limited suspension of action, continued prosecution application (§ 1.53(d)).
- § 1.103(c) – for requesting limited suspension of action, request for continued examination (§ 1.114).
- § 1.103(d) – for requesting deferred examination of an application.
- § 1.217 – for processing a redacted copy of a paper submitted in the file of an application in which a redacted copy was submitted for the patent application publication.
- § 1.221 – for requesting voluntary publication or republication of an application. **Fee Code 1803**
- § 1.291(c)(5) – for processing a second or subsequent protest by the same real party in interest.
- § 1.497(d) – for filing an oath or declaration pursuant to 35 U.S.C. 371(c)(4) naming an inventive entity different from the inventive entity set forth in the international stage.
- § 3.81 – for a patent to issue to assignee, assignment submitted after payment of the issue fee.

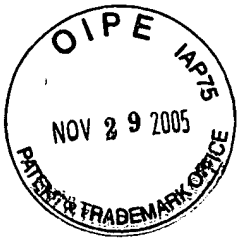

 Signature
Stephen J. Rosenman, Ph.D.
 Typed or printed name

November 29, 2005
 Date
43,058
 Registration No., if applicable

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Christen M. Anderson et al.
Application No. : 10/763,398
Filed : January 23, 2004
For : PRODUCTION OF ADENINE NUCLEOTIDE
TRANSLOCATOR (ANT), NOVEL ANT LIGANDS AND
SCREENING ASSAYS THEREFOR



Examiner : Billy D. Chism
Art Unit : 1654
Docket No. : 660088.443C1
Date : November 29, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST TO CORRECT INVENTORSHIP OF PATENT APPLICATION
PURSUANT TO 37 CFR 1.48 (a)

Commissioner for Patents:

Applicants hereby respectfully request, pursuant to 37 CFR 1.48(a)(1), that the inventorship of the above-identified patent application be corrected to **add** the following inventor:

Robert E. Davis.

The inventorship error occurred without deceptive intent on the part of the inventors. Submitted herewith is a statement of Robert E. Davis regarding the inventorship error pursuant to 37 CFR 1.48(a)(2); (2) Declarations executed by Christen M. Anderson, Amy K. Carroll and Robert E. Davis pursuant to 37 CFR 1.48(a)(3); (3) the requisite processing fee under 37 CFR 1.17(i) of \$130; (4) a Consent of Assignee to Correct Inventorship under 37 CFR 1.48(a)(5); and a copy of the Assignment of Robert E. Davis to MIGENIX Corp.

12/01/2005 WABDELRI 00000021 10763398

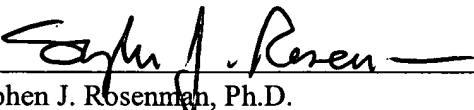
01 FC:1464

130.00 0P

The correct inventorship is as follows: Christen M. Anderson, Amy K. Carroll and Robert E. Davis.

Applicants respectfully request correction of inventorship for the instant application.

Respectfully submitted,
Seed Intellectual Property Law Group PLLC



Stephen J. Rosenman, Ph.D.
Registration No. 43,058

SJR:rap

Enclosures:
Check for \$130.00
Statement of Robert E. Davis
Declaration by Christen M. Anderson
Declaration by Amy K. Carroll
Declaration by Robert E. Davis
Consent of Assignee to Correct Inventorship
Copy of Assignment of Robert E. Davis to MIGENIX Corp.

701 Fifth Avenue, Suite 6300
Seattle, Washington 98104-7092
(206) 622-4900
Fax: (206) 682-6031

#529452_1.DOC

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Christen M. Anderson et al.
Application No. : 10/763,398
Filed : January 23, 2004
For : PRODUCTION OF ADENINE NUCLEOTIDE TRANSLOCATOR (ANT),
NOVEL ANT LIGANDS AND SCREENING ASSAYS THEREFOR

Examiner : Not Assigned
Art Unit : 1645
Docket No. : 660088.443C1

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF ROBERT E. DAVIS UNDER 37 C.F.R. § 1.48

I, Robert E. Davis, hereby declare as follows:

1. I, Robert E. Davis, am a joint inventor of the above-identified patent application.
2. The inventorship error, which mistakenly omitted me as a joint inventor in the above-identified patent application, occurred without deceptive intent on my part.
3. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated this 3rd day of October, 2005.

Robert E. Davis

County of _____)
) ss.
 State of _____)

I certify that I know or have satisfactory evidence that Robert E. Davis is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated _____

Signature of
Notary Public _____

Printed Name _____

(660088.443C1)

#529,463

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of

San Diego

ss.

On October 03, 2005 before me,

Ozell Xianfé, Notary Public

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared

Robert E. Davis

Name(s) of Signer(s)

☒ personally known to me

☐ proved to me on the basis of satisfactory evidence

to be the person~~(s)~~ whose name~~(s)~~ is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity~~(ies)~~, and that by his/~~her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.



WITNESS my hand and official seal:

[Signature]
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Declaration

Document Date: Filing Date: January 23, 2004 Number of Pages: 2

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: Robert E. Davis

☒ Individual

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Attorney-in-Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

**RIGHT THUMBPRINT
OF SIGNER**

Top of thumb here



EXPRESS MAIL NO. EV 335611108US

PTO/SB/01A (08-03).

Approved for use through 03/31/2006. OMB 0651-0032.

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention	PRODUCTION OF ADENINE NUCLEOTIDE TRANSLOCATOR (ANT), NOVEL ANT LIGANDS AND SCREENING ASSAYS THEREFOR
---------------------------	---

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
☒ Application No. 10/763,398, filed on January 23, 2004,
☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)Inventor one: Christen M. Anderson Citizen of: US

Signature: _____ Date: _____

Inventor two: Amy K. Carroll Citizen of: US

Signature: _____ Date: _____

Inventor three: Robert E. Davis Citizen of: USSignature: Robert E. Davis Date: October 3, 2005

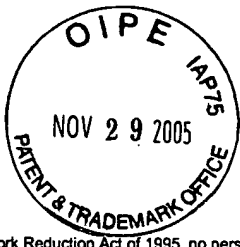
Inventor four: _____ Citizen of: _____

Signature: _____ Date: _____

☐ Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Docket No. 660088.443C1



EXPRESS MAIL NO. EV 335611108US

PTO/SB/01A (08-03).

Approved for use through 03/31/2006. OMB 0651-0032.

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention	PRODUCTION OF ADENINE NUCLEOTIDE TRANSLOCATOR (ANT), NOVEL ANT LIGANDS AND SCREENING ASSAYS THEREFOR
---------------------------	---

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
☒ Application No. 10/763,398, filed on January 23, 2004,
☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)Inventor one: Christen M. Anderson Citizen of: US

Signature: _____ Date: _____

Inventor two: Amy K. Carroll Citizen of: USSignature: *Amy K. Carroll* Date: 11/17/2004Inventor three: Robert E. Davis Citizen of: US

Signature: _____ Date: _____

Inventor four: _____ Citizen of: _____

Signature: _____ Date: _____

☐ Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Docket No. 660088.443C1



EXPRESS MAIL NO. EV 335611108US

PTO/SB/01A (08-03).

Approved for use through 03/31/2006. OMB 0651-0032.

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
USING AN APPLICATION DATA SHEET (37 CFR 1.76)****Title of Invention****PRODUCTION OF ADENINE NUCLEOTIDE TRANSLOCATOR (ANT),
NOVEL ANT LIGANDS AND SCREENING ASSAYS THEREFOR**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
☒ Application No. 10/763,398, filed on January 23, 2004,
☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)Inventor one: Christen M. Anderson Citizen of: USSignature:  Date: 12/9/04Inventor two: Amy K. Carroll Citizen of: US

Signature: _____ Date: _____

Inventor three: Robert E. Davis Citizen of: US

Signature: _____ Date: _____

Inventor four: _____ Citizen of: _____

Signature: _____ Date: _____

☐ Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Docket No. 660088.443C1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Christen M. Anderson et al.
Application No. : 10/763,398
Filed : January 23, 2004
For : PRODUCTION OF ADENINE NUCLEOTIDE TRANSLOCATOR
(ANT), NOVEL ANT LIGANDS AND SCREENING ASSAYS
THEREFOR

Examiner : Billy D. Chism
Art Unit : 1654
Docket No. : 660088.443C1
Date : October ____, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

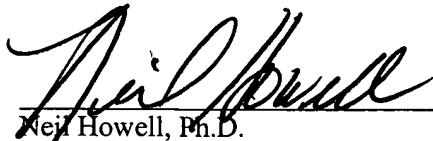
CONSENT OF ASSIGNEE TO CORRECT INVENTORSHIP UNDER 37 CFR 1.48(a)

The undersigned hereby declares that MIGENIX Corp. is the assignee of the above-identified application, as evidenced by the Recordation of Assignment recorded on July 30, 2004, at Reel Number 015625, Frame Number 0543 and the Recordation of Change of Name recorded on October 28, 2004, at Reel Number 015306, Frame Number 0285. The undersigned further declares that the subject Assignments have been reviewed and that, to the best of the Assignee's knowledge and belief, full right, title and interest in the above-identified application is in MIGENIX Corp.

MIGENIX Corp. hereby consents to the correction of inventorship of the above-identified application to add Robert E. Davis as an inventor for the above-identified application, as requested in the Petition to Correct Inventorship under 37 CFR 1.48(a) filed herewith.

The undersigned (whose title is supplied below) is authorized to act on behalf of the Assignee.

DATED this 04 day of NOVEMBER, 2005.



Neil Howell, Ph.D.
Vice President Research
MIGENIX Corp.

COPY

ASSIGNMENT

WHEREAS, I, Robert E. Davis (hereinafter referred to as ASSIGNOR), having a mailing address of 13272 Glencliff Way, San Diego, CA 92130, am a co-inventor, along with Christen M. Anderson and Amy K. Carroll, of an invention entitled "PRODUCTION OF ADENINE NUCLEOTIDE TRANSLOCATOR (ANT), NOVEL ANT LIGANDS AND SCREENING ASSAYS THEREFOR," as described and claimed in the specification for which an application for United States letters patent was filed on January 23, 2004, and assigned Application No. 10/763,398;

WHEREAS, MIGENIX Corp. (hereinafter referred to as ASSIGNEE), a corporation of the State of Delaware having a place of business at 12780 High Bluff Drive, Suite 210, San Diego, CA 92130, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR hereby sells, assigns and transfers unto said ASSIGNEE the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNOR had this assignment, transfer and sale not been made. ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNOR agrees to execute all instruments and documents required for the making and prosecution of applications for United States and foreign letters

patent on said invention, for litigation regarding said letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

October 3, 2005 Robert E. Davis
Date Robert E. Davis

State of _____)
) ss.
County of _____)

I certify that I know or have satisfactory evidence that Robert E. Davis is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated _____
Signature of
Notary Public _____
Printed Name _____
My appointment expires _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of

San Diego

} ss.

On October 03, 2005

Date

before me, Ozell Xianté, Notary Public

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared

Robert E. Davis

Name(s) of Signer(s)

☒ personally known to me

☐ proved to me on the basis of satisfactory evidence

to be the person~~(s)~~ whose name~~(s)~~ is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity~~(ies)~~, and that by his/~~her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.



WITNESS my hand and official seal.

[Signature]

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document:

Assignment

Document Date: Filing Date: January 23, 2004

Number of Pages: 2

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: Robert E. Davis

☒ Individual

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Attorney-in-Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

**RIGHT THUMBPRINT
OF SIGNER**

Top of thumb here

**SECOND SUPPLEMENTAL APPLICATION DATA SHEET****Application Information**

Application number::	10/763,398
Filing Date::	January 23, 2004
Application Type::	Regular
Subject Matter::	Utility
Suggested classification::	
Suggested Group Art Unit::	
CD-ROM or CD-R?::	None
Number of CD disks::	
Number of copies of CDs::	
Sequence submission?::	No
Computer Readable Form (CRF)?::	No
Number of copies of CRF::	
Title ::	PRODUCTION OF ADENINE NUCLEOTIDE TRANSLOCATOR (ANT), NOVEL ANT LIGANDS AND SCREENING ASSAYS THEREFOR
Attorney Docket Number::	660088.443C1
Request for Early Publication?::	No
Request for Non-Publication?::	No
Suggested Drawing Figure::	
Total Drawing Sheets::	9
Small Entity?::	No
Petition included?::	No
Petition Type::	
Licensed U.S. Gov't Agency::	
Contract or Grant No::	
Secrecy Order in Parent Appl.?::	No

First Applicant Information

Applicant Authority Type::	Inventor
Primary Citizenship Country::	US
Status::	Full Capacity
Given Name::	Christen
Middle Name::	M
Family Name::	Anderson
Name Suffix::	
City of Residence::	Encinitas
State or Province of Residence::	CA
Country of Residence::	US
Street of mailing address::	756 Poinsettia Park South
City of mailing address::	Encinitas
State or Province of mailing address::	CA
Country of mailing address::	US
Postal or Zip Code of mailing address::	92024

Second Applicant Information

Applicant Authority Type::	Inventor
Primary Citizenship Country::	US
Status::	Full Capacity
Given Name::	Amy
Middle Name::	Karen <u>K</u>
Family Name::	Carroll
Name Suffix::	
City of Residence::	San Diego
State or Province of Residence::	CA
Country of Residence::	US
Street of mailing address::	2859 Grandview Street

City of mailing address:: San Diego
State or Province of mailing address:: CA
Country of mailing address:: US
Postal or Zip Code of mailing address:: 92110

Third Applicant Information

Applicant Authority Type:: Inventor
Primary Citizenship Country:: US
Status:: Full Capacity
Given Name:: Robert
Middle Name:: E
Family Name:: Davis
Name Suffix::
City of Residence:: San Diego
State or Province of Residence:: CA
Country of Residence:: US
Street of mailing address:: 13272 Glenclyff Way
City of mailing address:: San Diego
State or Province of mailing address:: CA
Country of mailing address:: US
Postal or Zip Code of mailing address:: 92130

Correspondence Information

Correspondence Customer Number :: **00500**

Representative Information

Representative Customer Number::		00500
----------------------------------	--	--------------

Domestic Priority Information

Application ::	Continuity Type::	Parent Application::	Parent Filing Date::
This application	Continuation	09/569,327	05/11/00
09/569,327	Continuation-in-part under 35 U.S.C. §365	PCT/US99/25883	11/03/99
PCT/US99/25883	Continuation-in-part under 35 U.S.C. §365	09/393,441	09/08/99
09/393,441	Continuation-in-part	09/185,904	11/03/98

Foreign Priority Information

Country::	Application number::	Filing Date::	Priority Claimed::

Assignee Information

Assignee name::	MitoKor, Inc. <u>MIGENIX Corp.</u>
Street of mailing address::	11494 Sorrento Valley Road <u>12780 High Bluff Drive, Suite 210</u>
City of mailing address::	San Diego
State or Province of mailing address::	CA
Country of mailing address::	US
Postal or Zip Code of mailing address::	92124 <u>92130</u>

448654_1.DOC[9/19/01]